

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

COMMODITIES EXPORT COMPANY,

Plaintiff,

v.

Case No. 09-CV-11060-DT

CITY OF DETROIT, et al.,

Defendants.

ORDER IMPOSING DEADLINES

On January 5, 2010, the court conducted a status conference in the above-captioned matter. During the conference, Plaintiff informed the court that it would soon be seeking leave to file an amended complaint, incorporating specific allegations against Detroit International Bridge Company (“DIBC”), who was recently added as a Defendant. DIBC indicated that did not, at this point, know whether it would oppose the amendment, but would have to make that determination after reviewing the draft amended complaint. DIBC also stated that it may be filing a motion attacking this court’s subject matter jurisdiction, but would have to first wait to see how the possible amended pleading impacts the jurisdictional issues. Accordingly,

IT IS ORDERED that Plaintiff shall prepare its draft amended complaint and circulate it by **January 12, 2010** to all Defendants, who shall, in turn, notify Plaintiff by **January 14, 2010** whether they will stipulate to the filing of the amended complaint. If all Defendants agree to the filing of the amended complaint, Plaintiff shall file a

stipulation and an amended complaint by **January 19, 2010**.¹ Thereafter, by **January 25, 2010**, Defendants shall file either their respective answers, or any motion challenging the court's jurisdiction.

Alternatively, if Defendants do not agree to the filing of an amended complaint, Plaintiff shall file its motion to amend by **January 19, 2010**. Responses will be due by **February 2, 2010**, and any reply by **February 9, 2010**.

Finally, if the parties agree to the amendment of the complaint, and also do not challenge the court's subject matter jurisdiction, the court will conduct a status conference on **January 28, 2010 at 1:30 p.m.**

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: January 6, 2010

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, January 6, 2010, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522

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¹Pursuant to Federal Rule of Civil Procedure 15, if all Defendants consent to the amendment, the court need not issue a separate order granting leave to file the amendment. Fed. R. Civ. P. 15(a)(2) (allowing amendment with "the opposing party's written consent or the court's leave").